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January 13, 2023

VIA CM/ECF

The Honorable Analisa Torres, U.S.D.J.
United States District Court for the
Southern District of New York
500 Pearl Street
New York, New York 10007

The Honorable Sarah Netburn, U.S.D.J.
United States District Court for the
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Hoffman Int'l, Inc. v. Terex USA, LLC
Case Nos. 20-cv-08461, 22-CV-02681

Dear Judge Torres and Judge Netburn:

Counsel for both Terex Global GmbH ("Terex Global") and Terex Corporation ("Terex") and Hoffman International, Inc. ("Hoffman") have conferred following Magistrate Judge Netburn's Order of January 5, 2023 advising the parties to work cooperatively to resolve the service disputes. The parties have agreed that Hoffman will withdraw its Motion for Alternate Service (Documents 93-95) and, Terex Global and Terex will withdraw their Motion to Dismiss for Improper Service dated December 29, 2022 (Documents 86-89). Hoffman has agreed to pursue service upon Terex Global through the Hague Convention and will not pursue any default against Terex Global on the Summons served upon Terex Corporation. Accordingly, we are respectfully requesting that the Motion to Dismiss filed on December 29, 2022 (Documents 86-89) and the Motion for Alternate Service filed on January 4, 2023 (Documents 93-95) be withdrawn and removed from the Court's motion calendar.

Respectfully Submitted,

GRANTED. The Clerk of Court is directed to
terminate the motions at ECF Nos. 86, 93.

SO ORDERED.

Dated: January 17, 2023
New York, New York



ANALISA TORRES
United States District Judge